

Topic overview

Referendum on independence for Scotland 2014

Overview of referendum campaigning

This document is for campaigners at the referendum on independence for Scotland who want to know how the referendum will be run and the rules on campaigning.

Contents:

[Campaigners at referendums](#)

[Lead campaigners](#)

Translations and other formats

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Electoral Commission:

Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

Terms and expressions we use

We use 'must' when we refer to a specific legal or regulatory requirement. We use 'should' for items we consider to be minimum good practice, but which are not legal requirements.

You do not have to follow this guidance, but if you do, you will normally be doing enough to comply with the law.

Our approach to enforcement

The Commission regulates political funding and spending. We are committed to providing those we regulate with a clear understanding of their regulatory obligations through our guidance documents and advice service. If you are unsure of how any of the rules apply to you, please call us for advice. We are happy to help, so please get in touch.

Wherever possible, we use advice and guidance proactively in order to secure compliance. And we regulate in a way that is effective, proportionate and fair.

If you do not comply with legal or regulatory requirements you or your organisation may be subject to civil or criminal sanctions. You can find more information about the Commission's approach to enforcement at www.electoralcommission.org.uk/party-finance/enforcement

Overview of referendum campaigning

Who this document is for:

Referendum campaigners who want to know key information on the rules on campaigning at the referendum on independence for Scotland.

The document covers:

- Campaigners at the referendum
- Roles and responsibilities for registered campaigners
- Using imprints
- Designated campaign groups

Related documents:

- [Introduction to referendum campaigning](#)
- [Pre-poll reporting for referendum campaigners](#)
- [Overview of donations for referendum campaigners](#)
- [Overview of loans for referendum campaigners](#)
- [Situations and procedures – The designation process](#)
- [Situations and procedures – Referendum on independence for Scotland 2014](#)

Expert papers

- [Splitting campaign spending](#)

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Summary

Referendum campaigning is regulated under the Scottish Independence Referendum Act 2013.

This document takes you through key information on how the referendum will be run and the rules on campaigning.

Introduction

Under the Scottish Independence Referendum Act 2013, we have certain statutory responsibilities in relation to the referendum on independence for Scotland.

Our objectives for the referendum are:

- it should be well-run and produce results that are accepted
- there should be integrity and transparency of campaign funding and spending.

Campaigners at referendums

During the referendum, individuals or organisations can campaign for a particular outcome. Campaigners are subject to certain rules on spending and donations.

Organising a campaign

We encourage active participation by campaigners as part of a healthy democracy. There are some rules on what you can do, and how you publicise your campaign.

You can find out more about these in [Referendum campaign 'dos' and 'don'ts'](#). This document also includes good practice suggestions to help you with your campaign.

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When you need to register with us

If you want to spend more than £10,000 on campaigning during the referendum period you must register with us to become a ‘registered campaigner’ (unless you are working together with a lead campaigner – please see our guidance [Overview of referendum spending](#)).

You must tell us which side of the debate you are campaigning for.

The benefits of registering with us

Registering as a campaigner gives you:

- A spending limit above £10,000
- Access to the electoral register to help your campaign
- The right for representatives to attend postal vote opening sessions, polling stations and the counting of votes

You can register as a campaigner either [online](#) or by completing form [RIS1](#).

Important

Registered political or third parties still need to register separately as campaigners for each referendum.

Who can register as a campaigner?

Only the following types of individuals or organisations can register as campaigners:

- An individual who is resident in the UK or registered on a UK electoral register or the register of young voters.
- A UK-registered political party.
- A UK-registered company which is incorporated in the EU and carries on business in the UK.
- A UK-registered trade union.
- A UK-registered building society.
- A UK-registered limited liability partnership which carries on business in the UK.
- A UK-registered friendly, industrial, provident or building society.
- A UK-based unincorporated association that carries on the majority of its business or other activities in the UK.

There are restrictions on the information which can be issued by public bodies during a referendum. See this document:

[Expert paper – Public bodies and referendum material](#)

Referendum finance and spending

Registered campaigners must comply with the legal rules on spending, donations and loans during and after the referendum. These include limits on how much you can spend.

Pre-poll reporting for referendum campaigners

During the referendum period, registered campaigners must report certain donations and loans to us. This is called pre-poll reporting and you can find more information on the rules [here](#).

Political parties

Political parties do not need to pre-poll report. This is because parties that register as campaigners must continue reporting donations and loans to us every quarter as usual.

Parties cannot make donations to other registered campaigners, except for designated lead campaign groups.

Reporting after the referendum

All registered campaigners including political parties must report their campaign spending after the referendum. Registered campaigners (except political parties) must also include details of certain donations and loans in their campaign spending return. We publish the returns on our website.

For more information see these documents:

- [Pre-poll reporting for referendum campaigners](#)
- [Overview of referendum spending](#)
- [Overview of donations for referendum campaigners](#)
- [Overview of loans for referendum campaigners](#)

Roles and responsibilities for registered campaigners

Responsible person

All registered campaigners must have a 'responsible person'. This person is responsible for making sure that the campaigner's finances comply with the rules on spending, donations and loans.

If a political party (unless a minor party) registers as a campaigner, their registered treasurer will be their 'responsible person'. Individual registered campaigners will be responsible persons for their own campaigns. All other campaigners will need to register a responsible person with us.

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Campaigners can appoint agents to the following roles:

Referendum agents

Referendum agents can appoint people to attend polling stations and the counting of votes.

There is a deadline for the appointment of referendum agents. The relevant dates are published in our [referendum guidance](#).

Postal voting agents

Postal voting agents can observe the opening of returned postal votes.

Polling agents

Polling agents can access polling stations to check that procedures are followed correctly.

Counting agents

Counting agents observe the counting process (at a local level) on behalf of a campaigner to check that the count is undertaken in the correct manner.

For more information see this document:

- [Overview of referendum spending](#)

For more information, see these documents:

- [Overview of donations for referendum campaigners](#)
- [Overview of loans for referendum campaigners](#)

Responsibilities associated with registered campaigners

Referendum campaign spending

Under the Scottish Independence Referendum Act 2013, you must follow the rules and limits on campaign spending in the run up to the referendum. You must also record your spending and report it to us.

Referendum spending includes items and activities used for the purpose of your campaign.

Campaign finances

There are rules about accepting donations or loans for referendum spending.

Donations include money, goods or services given to a campaigner without charge or on non-commercial terms or sponsorship.

Loans include securities, guarantees and credit facilities such as credit cards and overdrafts.

We use 'benefits' to refer to both donations and loans.

You can only accept benefits with a value of more than £500 from certain, mainly UK-based, sources. We call these 'permissible sources'.

Any benefits valued over £7,500 which you receive after the Act received Royal Assent on 18 December 2013 must be reported to us during the referendum period. This is called pre-poll reporting and you can find more information about pre-poll reporting [here](#).

After the referendum you must also report certain donations and loans that you accepted in your campaign spending return.

Before you accept a donation you must take all reasonable steps to check that the source is permissible. You should complete these checks within 30 days of receiving the donation.

If the donor is not permissible, you **must** return the donation within the same 30-day period.

You should also make checks on lenders before you enter into the loan.

Important

Registered political parties carry on reporting donations and loans every quarter as usual. They do not need to report separately at a referendum.

Using imprints

What is an imprint?

An imprint is added to campaign material to show who is responsible for its production. It helps to ensure that there is transparency about who is campaigning at a referendum.

What do you need to include?

On printed material such as leaflets and posters, you must include the name and address of:

- the printer, and
- the promoter

The promoter is the person who has authorised the material to be printed. If you are registered with us as a referendum

We regulate compliance with imprints at referendums.

However, we will not usually consider taking enforcement action where it is clear from the document who is responsible for its production.

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campaigner, this may be the person notified to us as the 'responsible person', or someone authorised by them to incur spending.

If the promoter is acting on behalf of a person or organisation, you must also include the person's or organisation's name and address.

You can use either home or office addresses.

Example of an imprint

A standard imprint should look like this:

Printed by T Collins Printing Ltd, 22 Thornfields Avenue, Glasgow. Promoted by J Smith on behalf of the Campaign Group, both of 110 High Street, Airdrie.

If some of the material relates to the referendum and some to an election, you can use a single imprint. You must make sure that it lists all the promoters and organisations involved.

Where do you put the imprint?

If your material is a single sided document – such as a window poster – you must put the imprint on the face of the document. If it is a multi-sided document, you must put it on the first or last page.

If it is in a newspaper or periodical, the name and address of the printer of the newspaper or periodical must appear on the its first or last page, and the name and address of the promoter (and of any person on whose behalf the material is being published, if not the promoter) must appear in the advertisement.

Websites and other electronic material

You must put an imprint on electronic campaign material, such as websites and emails, unless it is not reasonably practicable to do so. The imprint must include the name and address of the promoter and any person or organisation on whose behalf it has been produced. In our view you must include an imprint unless the size or format of the election material would mean that the imprint is not legible.

Where it is not reasonably practicable to place the full imprint on the campaign material you should consider how to provide some other means for the material to be associated with you.

The table below provides some ways to provide your details when it is not practicable to incorporate a full imprint.

Online material	How the imprint may appear
Tweeting via Twitter and Facebook posts	<p>You should display your full imprint details prominently on your profile.</p> <p>You can include a shortened link to your imprint in your tweet/post.</p>
Images/Cartoons	<p>If it is impractical to place a full imprint on to an image, you should include the text of a link, or a 'hyperlinked' logo/emblem, that leads to your full imprint.</p> <p>Sometimes campaigners have emblems or logos that voters will readily associate with an individual or organisation. These emblems or logos can be used as a substitute if it is not practicable to place the full imprint on material.</p>
Comments	<p>Individual comments posted onto discussion forums are unlikely to be covered by the rules on referendum campaigning.</p> <p>As good practice, we suggest that if you use these forums you make your identity clear where possible.</p>

URL shortening is a technique where a URL link may be made shorter and still link to the required page.

If using social media services such as twitter that limit the number of characters in a message this can be a practical solution for linking to additional information.

Common examples include 'bit.ly', 'TinyURL', 'goog.gl' and 't.co'

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Designated campaign groups

We can appoint a designated lead campaign group for each outcome in the referendum.

Designated lead campaign groups have the benefit of a higher spending limit of £1.5 million, sending information to voters free of charge, referendum campaign broadcasts, and free use of certain public rooms.

Registered campaigners must apply to us to become designated as designated campaign groups.

For more information see:

- [Situations and Procedures – The designation process](#)

How we can help

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

If it's easier, you can also contact us on the phone number or email address below. We are here to help, so please get in touch.

Call us on:

0131 225 0202

scotreferendum@electoralcommission.org.uk

Visit us at www.electoralcommission.org.uk

We welcome feedback on our guidance – just email us at:

info@electoralcommission.org.uk